

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE JADE FARM LLC,

Plaintiff,

-against-

DARA MIRAHANGIRY, et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 07/05/2023

22-CV-3128 (VEC) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

1. Additional Submissions

The Court has received and reviewed plaintiff's letter-application seeking terminating sanctions (Dkt. 102), defendants' response (Dkt. 104), and plaintiff's reply. (Dkt. 106.) The Court requires additional materials from both parties in advance of the conference scheduled for July 20, 2023, at 11:00 a.m. Consequently, no later than **July 13, 2023**:

- a. Plaintiff shall submit legible and text-searchable copies of the Shano and Constantini deposition transcripts, clearly marked to show (i) any testimony concerning whether the witness reviewed Mirahangiry's deposition testimony; and (ii) any other testimony that plaintiff claims to be perjury.
- b. Defendants shall submit complete copies of:
 - i. All emails sent by Mirahangiry to Constantini on December 7, 2022, including attachments;¹ and
 - ii. Any recorded version of Mirahangiry's deposition testimony (including but not limited to rough or draft transcripts and audio or video recordings) in the possession of defendants, or any of them, prior to the Shano and Constantini depositions.

If any of the required documents are in a format that cannot be converted to pdf and submitted by ECF (*e.g.*, audio or video files), defendants' counsel must make arrangements to submit these files to Chambers by email or FTP at Moses_NYSDChambers@nysd.uscourts.gov,

¹ See Dkt. 102-3, at ECF p. 10 (text from +13478602400 on 12/8/2022 at 4:26:26 PM reading, "Where is Daras deposition? Can someone send to me please"; text from +19084133030 on 12/8/2022 at 4:27:41 PM reading, "I emailed to you last night").

with a copy to plaintiffs' counsel. The Court does not require, and will not accept, further written argument prior to the July 20 conference.

2. Courtesy Copies

Counsel are again reminded that Moses Ind. Prac. § 1(d) *requires* that paper courtesy copies be delivered to chambers whenever a filing includes multiple exhibits.

Dated: New York, New York
July 5, 2023

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses", is written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge